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Book Review of *Criminal Justice in Native America* edited by Marianne O. Nielsen and Robert A. Silverman.

Jill E. Martin
Quinnipiac University

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Criminal Justice in Native America. Edited by Marianne O. Nielsen and Robert A. Silverman. Tucson: University of Arizona Press, 2009. xi + 242 pp. Notes, references, index. \$34.95 paper.

The issues surrounding Native American communities and crime are addressed in the 14 essays in this volume. The book's underlying premise is that "because of the tragic consequences of colonialism, Native American communities and organizations need more control over their own destinies and need more resources to do so; they need to be able to determine for themselves how to best provide services to their Native American members and clients." Readers are likely to agree that Native Americans need more control over criminal justice issues. The book's contribution is to show different ways tribes can undertake such control.

The essays fall generally into four categories: crimes and crime rates; law and jurisdiction; policing; and courts and corrections. The reader is given both a historical overview of Native American justice and an up-to-date view of Native American interaction with criminal justice systems—those of the dominant society and the tribe. The introductory essay provides an overview of Native American involvement in criminal justice systems and addresses the difficulty in discussing Native Americans as a single entity. Its author states clearly, however, that generalizations need to be used to familiarize readers with the book's complex topics.

The case of *Ex parte Crow Dog* 109 U.S. 556 (1883) provides a good example of many of the issues raised. Crow Dog, a Brule Sioux, killed Spotted Tail, also a Sioux. The tribe meted out traditional justice—Crow Dog provided restitution to Spotted Tail's family. But non-Native people believed that the punishment was inadequate, and Crow Dog was tried and convicted in federal court. The U.S. Supreme Court found that there was no federal jurisdiction over crimes committed by Indians against Indians. Public outrage over the decision led to the Major Crimes Act of 1885, taking jurisdiction from tribes and giving it to federal courts. Repercussions from this case still abound today and are discussed in many of the essays—in terms of jurisdiction, courts, traditional tribal justice, punishment, and the dominant society's views of Native American justice.

The essays provide different perspectives on Native American interaction with the dominant justice system and the ways in which Native American tribes are determining justice within their communities. Criminal behavior is discussed, both generally in terms of crime patterns, and specifically in terms of juveniles, women,

and sexual assault victims. Two essays look at the treatment of Native Americans by the dominant society: hate crimes against individuals and corporate crimes against the tribes. Jurisdictional issues point up the complexities of Native American justice and the efficacy of tribal courts. Tribal police are involved in investigating crimes, creating benefits for the tribe and burdens on the police. Using traditional tribal customs allows Native Americans to take more control over resolving disputes that may otherwise end up in the criminal justice system.

The book is intended as an introductory survey and does a good job of providing readers with an understanding of the unique and complicated systems of justice facing Native Americans. It will create much discussion about these issues while offering concrete ideas for changes to benefit tribes and individual Native Americans. **Jill E. Martin**, *Department of Legal Studies, Quinnipiac University*.